



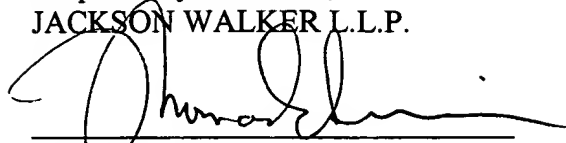
- (b) Filing of this continued prosecution application is to be construed to include a waiver of confidentiality by the application under 35 U.S.C. § 122, to the extent that any member of the public, who is entitled under the provisions of § 1.14 to access to, copies of, or information concerning, either the prior application or any continuing application filed under the provisions of 37 C.F.R. § 1.53(d), may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket. 37 C.F.R. § 1.53(d)(6).
- (c) Filing of this request is the specific reference required by 35 U.S.C. § 120 to every application assigned the application number identified in this request. No amendment in this application may delete this specific reference to any prior application. 37 C.F.R. §§ 1.53(d)(7) and 1.78(a)(2).

4. This CPA names as inventors the same inventors named in the prior application on the date this continued prosecution application under 37 C.F.R. § 1.53(d)(2)(iii) is being filed.

5. Enclosed herewith is a preliminary amendment.

6. Enclosed is a check in the amount of \$410 to cover the CPA filing fees (\$355) and the one-month extension of time fees (\$55). The Commissioner is hereby authorized to deduct any fee deficiencies from deposit account no. 07-2400. A duplicate copy of this page is enclosed.

Respectfully submitted,  
JACKSON WALKER L.L.P.

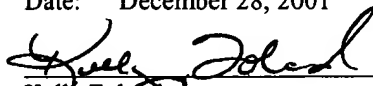


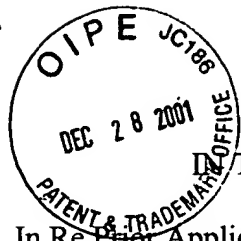
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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service, as Express Mail Post Office to Addressee (37 CFR 1.10), Mailing Label No. EL909012703US, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: December 28, 2001

  
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Kelly Foland



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Prior Application of:

Edwin James DuMorris EDDY, et al.

Serial No.: 09/380,351

Filed: August 31, 1999

Title: DEVICE FOR COLD CUTTING  
ELONGATE MEMBERS ALONG  
A LONGITUDINAL AXIS

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Attorney Docket No. P-6374.03(CPA)

Group Art Unit: 3724

Examiner: C. Dexter

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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PRELIMINARY AMENDMENT

This amendment is being filed with a Continued Prosecution Application this date.

IN THE CLAIMS

Claims 26, 36, 37 and 48 are pending.

Claim 36 remains unchanged.

Claims 26, 37 and 48 are amended as follows:

26. (Thrice Amended) A cold separation device for separating a cold elongate metallic member along a substantially longitudinal axis thereof, said device comprising:

a separation unit having a cutter;

support means extending upstream and downstream of said separation unit to support said elongate member;

a feeder means to feed said elongate member towards and through said separation unit, said feeder means comprising a pusher arm upstream of said separation unit whereby, said pusher arm exerts a force on an end of said elongate metallic member distal from said separation unit to push said member towards and through the said separation unit; and